

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON**

JACQUELYN BAIRD THIELEN,  
Plaintiff

vs.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL SECURITY  
Defendant

Case No.: 2:21-CV-01126 – TLF

**ORDER TO AMEND REMAND  
ORDER**

**ORDER**

Based upon Plaintiff's Motion to Amend the Remand Order which notes that this case only involved an appeal of the denial of Social Security Disability Benefits prior to Plaintiff's 55<sup>th</sup> birthday, it is appropriate to clarify the Remand Order to specify that the Remand Order only pertains to the period prior to Plaintiff's 55<sup>th</sup> birthday. The Court has no authority to rule on the award of benefits as of Plaintiff's 55 birthday. Brown v. Kijakazi, 11 F.4<sup>th</sup> 1008, 1010 (9<sup>th</sup> Cir. 2021). The Conclusion of the Order Reversing and Remanding Defendant's Decision to Deny Benefits, Dkt. #21, is hereby amended to read as follows:

CONCLUSION

Based on the foregoing discussion, the Court finds the ALJ erred when she determined plaintiff to be not disabled prior to her 55th birthday. Defendant's decision to deny benefits prior to her 55th birthday is therefore REVERSED and this matter is REMANDED for further administrative proceedings. The ALJ is directed to reevaluate medical opinion evidence on remand.

1 Dated this 19 day of April, 2022

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4 UNITED STATES MAGISTRATE JUDGE  
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